



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

ANDREW B. SPEARS
Assistant Corporation Counsel
Phone: (212) 356-3159
Fax: (212) 356-1148
aspears@law.nyc.gov

July 11, 2022

BY ECF

Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Grantley Brathwaite v. City of New York, et al.,
19 Civ. 9235 (PGG) (BCM)

Your Honor:

I am the Assistant Corporation Counsel assigned to represent defendants the City of New York, New York City Police Department (“NYPD”) Detective Mantilla, NYPD Detective Haggerty, and NYPD Undercover Officer (“UC”) No. 391 in the above-referenced matter. Defendants write to respectfully request that the Court enlarge defendants’ deadline to file a pre-motion conference letter regarding their anticipated motion for summary judgment by 30 days, to August 10, 2022. This is defendants’ first request for an enlargement of their deadline to file a pre-motion conference letter.

By way of background, on June 7, 2022, the parties filed a status letter advising the Court that all outstanding documents had been produced and all depositions had been completed in this matter, and respectfully submitting that the fact discovery phase of this litigation was complete. (See ECF No. 71). Defendants further advised the Court of their intention to file a motion for summary judgment in this matter, as well as their intention to file a letter seeking a pre-motion conference on or before July 13, 2022, in accordance with Rule IV(A) of Your Honor’s Individual Rules of Practice. (See id.).

Defendants now request an enlargement of time to file their pre-motion conference letter, due to the number of claims at issue in this matter, as well as the undersigned’s commitments in other matters. In light of the foregoing, the undersigned respectfully submits that additional time is necessary to prepare defendants’ pre-motion conference submission. Counsel for plaintiff has consented to this request, and as such, defendants further submit that plaintiff will not be prejudiced by the requested enlargement.

Accordingly, defendants respectfully request that the Court enlarge their deadline to file a pre-motion conference letter regarding their anticipated motion for summary judgment by 30 days, to August 10, 2022.

Defendants thank the Court for its time and consideration of this matter.

Respectfully submitted,

Andrew B. Spears /s

Andrew B. Spears
Assistant Corporation Counsel
Special Federal Litigation Division

cc: **BY ECF**

Ataur Raquib, Esq.
Rebecca Kayla Abraham, Esq.
Samuel Christopher DePaola, Esq.
Attorneys for plaintiff

MEMO ENDORSED

The Application is granted.

SO ORDERED:

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.
Dated: July 14, 2022